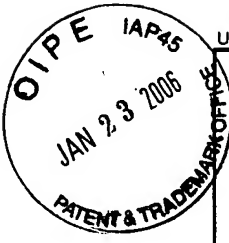


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PTO/SB/21 (09-04)
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<h2 style="margin: 0;">TRANSMITTAL FORM</h2> <p style="margin: 0; font-size: small;">(to be used for all correspondence after initial filing)</p>		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="padding: 2px;">Application Number</td><td style="padding: 2px;">10/815,786-Conf. #009933</td></tr> <tr><td style="padding: 2px;">Filing Date</td><td style="padding: 2px;">April 2, 2004</td></tr> <tr><td style="padding: 2px;">First Named Inventor</td><td style="padding: 2px;">Der-Lin LIOU</td></tr> <tr><td style="padding: 2px;">Art Unit</td><td style="padding: 2px;">1771</td></tr> <tr><td style="padding: 2px;">Examiner Name</td><td style="padding: 2px;">V. S. Chang</td></tr> <tr><td style="padding: 2px;">Attorney Docket Number</td><td style="padding: 2px;">2450-0667PUS1</td></tr> </table>	Application Number	10/815,786-Conf. #009933	Filing Date	April 2, 2004	First Named Inventor	Der-Lin LIOU	Art Unit	1771	Examiner Name	V. S. Chang	Attorney Docket Number	2450-0667PUS1
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Examiner Name	V. S. Chang													
Attorney Docket Number	2450-0667PUS1													
Total Number of Pages in This Submission	6													

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Reply to Notice of Non-Responsiveness
<div style="border: 1px solid black; width: 100px; height: 20px; float: left; margin-bottom: 5px;">Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	BIRCH, STEWART, KOLASCH & BIRCH, LLP		
Signature			
Printed name	Joe McKinney Muncy		
Date	January 23, 2006	Reg. No.	32,334



Docket No.: 2450-0667PUS1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Der-Lin LIOU

Application No.: 10/815,786

Confirmation No.: 009933

Filed: April 2, 2004

Art Unit: 1771

For: ELASTOMERIC FOAM ARTICLE

Examiner: V. S. Chang

REPLY TO NOTICE OF NON-RESPONSIVENESS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In reply to the Notice of Non-Responsiveness mailed December 23, 2005, and further to the Reply to Election of Species Requirement filed December 14, 2005, the following election and remarks are respectfully submitted in connection with the above-identified application.

ELECTION

Species I

The Examiner has required an election in the present application between:

Species Ia, elastomeric foam comprising at least one foam structure layer, as set forth in claim 1;

Species Ib, elastomeric foam comprising at least one foam structure layer and one or more substrate layers, as set forth in claim 1;